

REMARKS

Claim Status and Issue of Withdrawn Claims

Claims 48, 49, and 51-146 are pending in this application. Of these, Claims 48 and 49 have been withdrawn from consideration, Claims 52-53, 85-86, and 121-122 canceled herein, and Claims 51, 84, and 120 amended to incorporate the limitations of dependent Claims 53, 86, and 122, respectively.

Double Patenting

Claims 51-53, 55-68, 70-89, 91-104, and 106-123 are rejected on the grounds of nonstatutory obviousness-type double patenting ("ODP") over claims 1-6 of U.S. Patent #6,645,463. Applicants shall file a terminal disclaimer in compliance with 37 CFR 1.321(c) once the claims of the present application are indicated as allowable but for the double patenting issue set forth herein.

Rejection under 35 U.S.C. §112, 1st ¶

Applicants wish to thank Examiner for his kind consideration of Applicants' February 27th, 2008 remarks and withdrawal of the indefiniteness rejection.

Rejection under 35 U.S.C. §103

Claims 51-82 and 84-146 are rejected under 35 U.S.C. §103(a) as being obvious over Modi (USPN 6,214,375) in view of Wheeler et al. Applicants respectfully traverse this rejection in view of the foregoing claim amendments, thereby obviating the present obviousness rejection. Withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Should the Examiner have any continuing objections, the Applicants respectfully ask the Examiner to contact the undersigned at 415-442-1490 (direct line) in order to expedite allowance of the case. Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 066254-5003-US01).

Respectfully submitted,

Date: July 28, 2008

By: 

Ada Wong, Reg. No. 55,740
for
Jeffrey S. Mann, Reg. No. 42,837
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306
(415) 442-1490